

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

**UNITED STATES OF AMERICA**

v.

**BILLY WAYNE PAGE,**

Defendant.

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Case No. 2:19CR00003-001

**OPINION AND ORDER**

By: James P. Jones  
United States District Judge

*Billy Wayne Page, Pro Se.*

The defendant, a federal inmate, has filed a pro se motion that I interpret as a motion pursuant to the First Step Act of 2018 (Act) seeking compassionate release from the sentence of imprisonment imposed by this court because of the current Covid-19 health crisis and its danger to him because of his own health issues.

Prior to the Act, only the Director of the Bureau of Prisons (BOP) could file a motion with the court seeking compassionate release for an inmate. However, the Act amended 18 U.S.C. § 3582(c) to provide that a sentencing court may, after considering the sentencing factors set out in 18 U.S.C. § 3553(a), modify a sentence to grant compassionate release either upon motion of the Director “or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the [BOP] to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s

facility.” 18 U.S.C. § 3582(c)(1)(A). There is no indication that the defendant has exhausted his administrative remedied and thus at this time his motion is premature.

Accordingly, the defendant’s motion, ECF Nos. 83 and 84, is DENIED

It is so **ORDERED**.

ENTER: April 20, 2020

/s/ JAMES P. JONES  
United States District Judge